

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 89.14, the Boiler and Pressure Vessel Board hereby amends Chapter 90, "Administration of the Boiler and Pressure Vessel Program," Iowa Administrative Code.

2013 Iowa Acts, House File 484, authorized the Boiler and Pressure Vessel Board to establish by rule an internal inspection schedule of up to four years for certain utility boilers. These amendments adopt a new subrule consistent with that authority, make conforming amendments, and update obsolete language.

The purposes of these amendments are to implement legislative intent and protect the health and safety of the public.

Notice of Intended Action was published in the July 23, 2014, Iowa Administrative Bulletin as **ARC 1550C**. No public comment was received on the proposed amendments. These amendments are identical to those published under Notice of Intended Action.

By reducing inspection costs for utility companies, this rule making may have a beneficial impact on jobs.

These amendments are intended to implement Iowa Code chapter 89.

These amendments shall become effective on November 5, 2014.

The following amendments are adopted.

ITEM 1. Amend paragraph **90.6(2)"a"** as follows:

a. All required inspections must be performed according to the schedule set forth in Iowa Code section 89.3, unless an exception is set forth in this rule.

ITEM 2. Amend subrule 90.6(8) as follows:

**90.6(8)** *Internal inspections on a four-year cycle based on process safety management compliance.* The owner shall demonstrate compliance with the requirements set forth in ~~2012 Iowa Acts, Senate File 2280,~~ Iowa Code section 89.3(5) "a"(4)(b) by annually submitting to the labor commissioner a notarized affidavit. The affidavit shall be in a format approved by the labor commissioner and shall be signed by the owner or an officer of the company.

ITEM 3. Adopt the following **new** subrule 90.6(9):

**90.6(9)** *Internal inspection on a four-year cycle for utility objects.* An object that meets the criteria of this subrule shall be inspected internally at least once every four years and externally every year. If at any time the object or the owner no longer meets the criteria of this subrule, internal inspections shall be performed on a two-year cycle.

a. The object is owned and operated by an electric public utility subject to rate regulation under Iowa Code chapter 476.

b. The object and the owner meet all the requirements for a two-year internal inspection interval as set forth in Iowa Code section 89.3, subsection 4.

c. If the object is shut down for a period sufficient to allow safe entry, and more than two years have passed since the last internal inspection, the owner shall notify the labor commissioner of the outage and shall schedule an internal inspection.

d. If the labor commissioner determines that an earlier inspection is necessary, the owner shall prepare the object for inspection pursuant to rule 875—90.5(89).

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/1/14.